EXHIBIT "C"

OKane's Narrative Explaining The Material Differences Between His 1st and 2nd Application

The below is the template used in the <u>SECOND APPLICATION</u>, numbered 09/683,228. I have made comments in bold blue in order to help others differentiate between the two applications. I have also included, separately, the six patents mentioned by the examiner containing notes as to how those applications differ from the two patents all of this correspondence has been prepared for.

Patent Application 09/683,228

Date: 12/04/2001

SPECIFICATION

Title of Invention

A Peer-To-Peer (P2P) and Internet Content Delivery Based User Based Digital Acknowledgement Trigger used for File Transfer

The above Title, in comparison to the 1st application the major difference here is the terms "user based" Digital Acknowledgement Trigger. In the first application it states a "Peer to Peer and internet Digital Acknowledgement Trigger." In technical terms this is very big difference. A user based trigger signifies that all triggers are UNIQUE for each user, whereas in the 1st application it represents a "single" trigger for all files. A single file trigger cannot determine which user is using and exchanging files nor pay "trackable royalties." That is where the Secure Centralized Network or P2P is very important.

Cross-References to Related Applications (if any)
None

In the first application, Jeff Furr makes reference to the provisional patent, whereas in this case, he does not. He did this for this is a SEPARATE, different application/invention process. This patent application, in fact is NOT so much an improvement to prior art, but a completely different stand alone patent application. And even if it was, an improvement, it should not warrant fear they can stake claim to it. In short, if John Doe made an improvement to prior art, which in this case the prior art being the November Application, Chris or Lew could not claim anything to it. Same here for application #2 which is separate from Chris Ricci, because he didn't invent this. I invented the 1st one, and he contributed to it.

The second patent application is technologically 100% different from the 1st application and it was created because Robert felt that the first patent co-authored with Chris Ricci could be in violation of other Digital Rights management patents. That is the main reason why I made an entirely DIFFERENT application and invention

process. Interesting point to note, because Chris refused to sign the first one, he has no idea what was filed as far as content, thus he doesn't have any right to this one. He never contributed to it. He refused to sign the first application. I will also make note that I have an email where Lew states they (Chris and Lew) recognize Chris rights to co ownership of the 1st patent which was actually filed by The eDepot, and that is fine by me.

So as Chris and Lew acknowledges their rights to the 1st patent application, they have no rights to this unique 2nd patent application which addresses the flaws in the 1st application. I know everyone has heard me say the 2nd application represents the business plan we have, for it does. The plan, which is the second application, does not describe the first application's technology or it's invention processes which are consistently mirroring Digital Rights Management.

That is why I have always marketed the business model that represents the second application, not the first. Our PPM's and biz plans have Always been based on the second application. It is also important as you read on that you understand just how different this works and everyone must understand Digital Rights Management to do it. It took me months of research over a year ago. I figured our patent examiner would try to see if he could compare patents to our applications in which we actually use DRM files in a secure P2P setting using centralized servers, which he didn't.

Statement as to rights to inventions made under Federally-sponsored research and development (if any)

None

BACKGROUND

1. Field of the Invention

This invention relates to the art of transferring data files between users and more specifically, to the use of peer to peer processing for this purpose of delivery of royalties for intellectually protected materials and/or files.

The main difference above as compared to the 1st application is that I included "for the purpose of delivering royalties." This is VERY important for the digital acknowledgement triggers purpose is to distribute content BUT also pay royalties for this content. We mention the secure P2p SETTING, AND CENTRALIZED SERVERS BELOW.

2. Description of Prior Art

In conventional systems and methods for sharing information, an originator of the information will typically provide the information through an electronic site such as a web site. Users wishing to obtain the information must have available to them, or must download, specific software to their computers or other devices that allow them to access and otherwise use, store, play, or display the information. Representative examples of information typically shared in this manner include, among other things, text, graphical images, sound files, and the like. Once information is obtained by a user, the originator has little (if any) ability to control what the user does with the information. For example, the user subsequently may, in violation of the wishes of the originator,

copy the information or disseminate it such that the originator is no longer able to control by whom and when the shared information can be listened to, read, or seen.

The patent examiner should focus on this when concerning themselves with the differences between the six patents he references against the 1st and 2nd applications.

A strong need has developed to find a way to track files that are exchanged and used by parties over the Internet and computer regulated networks, websites and exchanges that encourage downloading and exchanging of files that are intellectually protected. Currently, there does not exist a device or process available that reads, tracks and pays royalties using a new technology in the advertising world for the "proper use" of files that flow directly from one computer/user to another, unseen and untouched by any person or company.

The above paragraph is different from the first for again, I mention the distribution of actual royalties, and how it is done, or what is lacking in the marketplace. Royalties, when paid allow for "proper use" of files, which again is a big point and difference from the first application. The invention would not work if I did not include royalties and this invention/business model would be useless in the commercial market place.

The underlined area describes the state of the industry as well as the lack of intellectual properties on the market whether approved or pending at the time of our application filings.

These networked technologies, P2P networking, or file sharing networks, allow individual computer users to open their computer related hard drives directly to one another, searching for and swapping files without recourse to more traditional Web databases and servers. Again, there is no method or process available that determines and tracks such file transfers while paying royalties for "proper use"

Again, major difference is the royalty distribution. The 1st application states tracking files using ONE UNIVERSAL trigger for all, whereas a Trigger in the second application is assigned for each unique user. The first application does not cover royalty distribution, which is a major flaw. This patent is unique because it covers each function of the trigger that is uniquely assigned "per user."

The underlined text shows another example of how the patent examiners reference to the other six patents are completely different than what we have.

In recent years, companies that managed these types of networks, P2P networking, or file sharing networks, allowed people to share music files, video files and just about any other file with no regulatory control. Pure P2P networks, by definition, do not have such technologies or *"process"* that helps those who own multi-media intellectual rights to track, sell and determine who shares and uses digital media files (a.k.a video, audio, digital art and yet to be determined digital source) and that potential loss of control and security has made it more difficult for entrepreneurs and businesses to devise obvious business models that curb the copyright and security fears.

The underlined text shows another example of how the patent examiners reference to the other six patents are completely different than what we have. There was nothing like what we put in our applications that others were working on. The others were illegal and the Supreme Court in June of 2005 declared them to be. Our applications, and inventions when the processes are COMBINED provide the most unique P2P platform ever designed using a secure setting along with centralized servers.

P2P AUDIO AND VIDEO networks work as follows:

• A user /computer " user" asks a "computer or network related computer or server" if a audio / video /digital art file exits on that particular computer or network related computer or server.
• Every computer or network server or device which is "hooked" up or hooked into that same particular computer or network related computer or server mentioned in above, responds with a *YES or a NO.*
• Every computer or network server or device which is "hooked" up or hooked into that same particular computer or network related computer or server mentioned in above that answers yes, then hooks up or hooks directly into the user /computer's computer or network related computer or server for download.
• Or the user receives the file in or through an email message.
• Or the user transfers the file on a portable memory card (as used in portable MP3 players)
• Or the user uses a wireless enabled device (cellular phone, Personal Digital Assistant etc)
• Or the user shares/copies/uploads/modifies the file through any means of electronic communication device(s)

Esther Dyson, chair woman of the Internet Corporation for Assigned Names and Numbers, wrote in a column in October, 2000. *"Peer-to-peer communities need a way to define and identify their members. They need a way to define their own rules and to exclude people who break them."* Business interests already are trying to find answers that will allow for widespread legal P2P commercialization. For example of how P2P networks have had no control, NAPSTER, Aimster, BearShare, Gnutella and more that all have ended up with legal, P2P, related suits and the industry has yet to develop a way to track the exchange and or download and illegal use of intellectual properties. (songs, video's, software)

This paragraph I included more recent companies that have platforms deemed to provide intellectual properties with zero control of the content and users exchanging the content as well as example of the content that is exchanged. I wanted to be as specific as possible.

The underlined text shows another example of how the patent examiners reference to the other six patents are completely different than what we have. There was nothing like what we put in our applications that others were working on at the time we filed our applications. The others were illegal and the Supreme Court in June of 2005 declared them to be. The illegal platforms, or the de-centralized platforms, are the opposite of what Esther is referring to. Our applications, and inventions when the processes are COMBINED provide the most unique P2P platform ever designed using a secure setting along with centralized servers.

NAPSTER (www.napster.com) Aimster.com and BearShare.com provides the most illuminating illustration of P2P or file sharing business models/infrastructure. Record companies are seeing their music distributed at unprecedented speeds, but they've lost control of the ability to guide and profit from the system. Any company that hopes to commercialize and stop losing potential business related revenues from peer-to-peer networks must figure out a way to relinquish the right amount of control to its customers without giving away the profitable "commercialization" possibilities.

Again, the underlined text shows another example of how the patent examiners reference to the other six patents are completely different than what we have. There was nothing like what we put in our applications that others were working on at the time we filed our applications. The others were illegal and the Supreme Court in June of 2005 declared them to be. Everything they do, we are the opposite. 100% different platforms, 100% different processes, and 100% different end results.

There is a lot of hard evidence that shows people use P2P type networks and "shared file" networks only because they do not have to pay for all the material they download.

In a de-centralized setting, such as described in the patent examiners referred patents, there was no control. That is why being specific with the network and platforms, such as we do, is critical to differentiating our applications with the patent examiners referenced patents which were approved.

Naturally, entities that own respective files, that are "shared" will not take millions of people to court. They will however, shut down the entities that supply a way that files can be exchanged "for free".

They couldn't take them to court because users, content and activity were not° tracked. Thus, the patents the examiners mention is flawed. Again, those other approved patents deal with a de-centralized setting with each user using their network or computers as a host server. With us, we use centralized servers that work together in sync under the direction of our triggers mentioned in our applications. The difference between our applications was mentioned previously.

Business and corporate leaders are trying to come up with ways to keep all parties involved within a P2P platform chain are happy. They are even trying to arrange for "paid" subscription business models. Most of all, P2P networks offer little regulation or protection of rightful properties inside anonymous networks, which was once a barrier to creating mainstream, integrated business processes.

Again, our applications assure rightful ownership by giving control to the content owners, users, and advertisers individually all combined into a secure centralized P2P setting. Completely unique to the patent examiners referenced approved patents.

United States Patent 6,183,366 by Goldberg, et al. and issued on February 6, 2001 is for "Network gaming system." It discloses an information service and advertising providing system for presenting interactive information services together with interactive advertising on a communications network such as the Internet and LANs.

United States Patent 6,029,200 by Beckerman, et al. and issued on February 22, 2000 is for an "Automatic protocol rollover in streaming multimedia data delivery system." It discloses a

streaming multimedia rendering system having a network client and a network server that form part of a hyperlink web such as the Internet. In accordance with the invention, a hyperlink to multimedia content is actually an indirect link to a reference file. The reference file contains a plurality of different resource specifiers and a preferred order for attempting communications using the resource specifiers.

United States Patent 6,248,946 by Dwek and issued on June 19, 2001 is for a "Multimedia content delivery system and method." It discloses a system and method for delivering multimedia content to computers over a computer network, such as the Internet includes a novel media player which may be downloaded onto a user's personal computer. The media player includes a user interface which allows a listener to search an online database of media selections and build a custom playlist of exactly the music selections desired by the listener. The multimedia content delivery system delivers advertisements which remain visible on a user's computer display screen at all times when the application is open, for example, while music selections are being delivered to the user. The advertisements are displayed in a window which always remains on a topmost level of windows on the user's computer display screen, even if the user is executing one or more other programs with the computer.

United States Patent Application 20010037367 by Iyer is a "System and method for sharing information via a virtual shared area in a communication network." It discloses a system and method is disclosed for information sharing via a virtual shared area in a communication network. The system includes a virtual shared area having a unique electronic identifier, the shared area being controlled by an owner for permitting access to information in the shared area by multiple users.

United States Patent Application 20010037304 by Paiz is for a "Method of and apparatus for delivery of proprietary audio and visual works to purchaser electronic devices." The method preferably includes the additional steps of encrypting the works; and provides the end user with program means for deciphering the works. This method preferably includes the additional steps of delivering advertising matter to the end user with each work the end user selects and plays; keeping a record of the particular works each end user selects and plays; customizing advertising delivered to the end user to fit within any pattern of work selection by the particular end user.

NOTE: All the patents which were approved, that the patent examiner mentions, were filed AFTER our provisional protection of 1999 as it relates to application #1 which is numbered 10/002,267.

There needs a way to transfer files using a digital acknowledgement trigger that does not violate the Digital Millennium Act of 1998.

Until our filing, nobody came close to delivering a secure P2P network consisting of CENTRALIZED servers the way we have them set up, and they the way they work in conjunction with each other as a result of the unique triggers mentioned in both of my applications.

The need for a method for peer-to-peer file transfers that is secure, quick, profitable, and legal to use shows that there is still room for improvement within the art.

The art is P2P distribution. We use a secured P2P setting with CENTRALIZED servers as mentioned.

1. Field of the Invention

U.S. Class 720

2. Description of related art including information disclosed under 37 CFR § 1.97 >
and 1.98<.**

SUMMARY OF THE INVENTION.

The object of the present invention is to provide a process that allows intellectual property
owners a well defined method to retain, track and pay royalties for their properties through P2P (
"peer to peer") or shared file networks that resemble the likes of, for example: NAPSTER,
MP3.com, and/or other similar computer file sharing computer networks. Furthermore, it also
provides for a method to enforce Digital Millennium Act of 1998.

Here again, is a major aspect and difference of the 1st application. I MENTION "track
and pay royalties", royalties cannot be determined by a single "Trigger" as stated in
the first application. Royalties must be paid in accordance with each unique users
"use" of the trigger. Again, each unique trigger assigned to the user tracks their
usage, exchanges, advertisements played, and royalties paid out. This was not
touched in the in 1st application. I describe this in detail in the second app's
paragraph below.

Please note the underlined--- or shared file networks. As mentioned here, previously,
and in the rest of this application, shared file networks is abroad term until one
becomes specific, as I do in the applications. Centralized. The word centralized makes
my applications, just as is and without consideration of the servers and triggers,
unique from all the patents the patent examiner referenced. The others talk
specifically about de-centralized P2P, and abstract references to how royalties may
be gathered, how users disseminate and use content, and how advertisements are
played. The previous approved patents are so 1000% different. Any technologist
could and will confirm this.

The Chief Technology Officer from the Harry Fox Agency, as well as numerous other
CTO's that directly represent the Big 5's content (warner, sony, universal, bmg, emi)
said so as well. This is why the Harry Fox Agency, ASCAP and other regulatory bodies
couldn't believe what it is we were making. I have emails to affirm such.

The current invention process, the user digital acknowledgement trigger, when created by
software that make digital acknowledgement trigger work and activate, creates and defines that
process which is needed to regulate the current infrastructure of P2P or file sharing networks,
infrastructures or computer systems and computer networks overall, where individuals that are
sharing information and content directly, can now be tracked and each file they use can be
accounted for royalty payment by way of computer programs work coincide to regulate and track
the actual users. It is a self running application that is also updated by a "individual" user who
updates the software, which includes logic that make digital acknowledgement trigger "work and
activate", for centralized development, uniformity and would guarantee the integrity of those
same files that are stored and shared on the above mentioned servers and networks.

Unlike the 1st application, again, I state very clearly that each user is
accounted for and royalty is paid based on each users "use" of the system
that is regulated by the trigger they are assigned. Each user updates their
own trigger mechanism.

Please make note of the underlined--- I go way beyond P2p networks, let alone we make clear, unique differences in what we do and what the approved patents the patent examiner referenced to. The technologies are 100% different. From the search mechanism (platform, user specific tool in which content is selected only from an inventory placed on a central server that is infused to this central server directly by the content owner desireous to be paid royalties), to the user activity, the platforms, the trigger processes and the end results of the trigger mechanisms working in conjunction with the four centralized servers mentioned below. The referenced patents do not. In those, each users server acts as a de-centralized server which is un-trackable. How is this known? The RIAA can't track the billions of files that have already and continue to be traded daily and by whom. There is no accountability. With our platform being centralized, they can do it all.

Then add to that, we have multiple centralized servers for content, users, advertisers, and royalty distribution and accountability. They all work together, all the time. There is not one patent application even coming close to this unique network, what it does, how it does it whether it be P2P or not. None of the applications even mention this in a de-centralized network. So those approved patents failed to do what we are doing, and what is in our patent applications.

The digital acknowledgement trigger solves the following problems that currently exist with P2P and file sharing networks:

·   Entities are Unable to track file downloads
·   Entities are Unable to protect intellectual downloads and usage.
·   Entities are Unable to determine the amount of downloads and or time the file has been "shared"
·   Entities are Unable to commercialize, profit due to the illegal bootlegging and "use" of their properties. Here I added why entities are unable to profit. "Bootlegging". Please notice the underlined--- The approved patents that the patent examiner refers to is completly different than what we do. And again, were applying for centralized, not decentralized which the other approved patents fail to touch base on.

P2P networks and file sharing networks are one of the best way for businesses or corporations to conserve resources in the way of business development and operational costs. In reality, the people, or the consumer loves the "file swapping process" because it's free and communicable between people, colleagues and associates. In short, file-swapping networks are rewriting the content distribution revolution for business and network, computer related file transfers. There is nothing in place to regulate or track it.

The patent examiner must realize we are not patenting 'P2P'. P2P is to broad as is, and must be specific. In my applications I am are very specific. Again, its a unique, secure P2P setting, using centralized servers with embedded triggers in application #1 and users that are actually embedded with a unique client allowing them to interact with our centralized servers. In The Office Action Document concerning my first application, the patent examiner seems to be pointing that we are trying to patent things that are 1) deemed illegal by the U.S. Supreme Court, and 2) already deemed to be a platform falling under an "abstract" P2P network label. Both applications are far from what the patent examiner understands with respect as to the approved patents he references in rebuttal to my applications. .

Not only do we mention other networks besides P2P, but we go into detail how unique ours are. Both applications offer unique, one of a kind environments which could never be compared, technologically, to a clone P2P model. The only thing that is the same is that users will use each others bandwidth. The processes, the platforms or networks are 1000% different than my applications when compared to the patents the patent examiner mentions. As mentioned previously in this document, I felt that the patent examiner would have kicked back the first application based on the facts that we are in fact borderline Digital Rights Management. In summary, I purposely designed my unique environment in my patent application #2 specifically to avoid my 1st Application being labeled as a DRM application and even another Napster or Bearshare, or Gnutella, which uses DECENTRALIZED SERVERS, over an unsecure P2P. Microsoft and Intertrust rule the DRM sector, even though they too failed to do what I did as it relates to application #1 in using a secure P2P enviroment, centralized servers which use embedded files as with my first Application. (10/002,267) My embedded triggers, which are different in both applications, are 100% unique from their applications. From A to Z.

The current invention will allow a person to receive a file from another source and creates a royalty generating process that allows the person "proper use." If a person sends a file the recipient will also be allowed "proper use" of the file for the technology would have produced a royalty for this as well. In retrospect, the other P2P based businesses do not provide tracking and royalty distribution for their users "proper use." In summary The user digital acknowledgement trigger, creates a method for justify these subsidizations

This paragraph is entirely different from the first application. I detailed out how the trigger regulates the activity of each user. Each user regulates their unique triggers which interact with four main centralized servers all within a secure P2P zone. It acutally defines the royalty process and how by paying royalties, it now makes it legal for people to transfer and use files. Without a royalty generating method, or payment, consumers are not allowed to transfer or use files. That is theft. In the first application, this paragraph explains the actual P2P process-- ONLY.

Again, these processes, are entirely different than of the patent examiners referenced patents. We actually DEFINE the platforms makeup, the triggers make up, and the interactions of the triggers with the centralized servers. Must make note, we also define other networks besides the common, de-centralized P2P in which this secure centralized will work seamlessly, and most importantly legally.

The patent office could possibly take into account his referenced patents are in direct violation of copyright law as defined by the United States Supreme Court. I have emails dating back years describing how our technology will not bear the same fate as the patent examiners referenced approved patents. i.e.: Napster, Gnutella, Aimster and others.

The current invention is geared and works with, and is not limited to any of the below file sharing industries:

· Audio Multi-Media File Sharing	· Video Multi-Media File Sharing	· Digital Audio File Sharing	· Digital Video File Sharing
· Gaming Software	· Digital Images	· Computer Software	· Digital Coupons

The above section from the second application we filed is again 100% different from the 1st application in the sense that I have added the entire bottom line of types of content. The 1st application stops describing the types of content after "Digital Video File Sharing."

The patent examiners referenced approved patents, as mentioned does not come close to our unique platform. They are illegal, decentralized, and do not provide royalties. Moreover, they do not go into the intricacies involved in making our network secure, and centralized. But the patent applications the patent examiner referenced to, also do not DEFINE the EXACT types of media that will be disseminated, used, tracked, and paid for. we do. The others make abstract references at best.

The process is more efficient, effective, accurate and functional than the current art.

Even more so than my first application, and the other approved patents the examiner makes reference to.

Brief Description of the Drawings.

Without restricting the full scope of this invention, the preferred form of this invention is illustrated in the following drawings:

FIG 1 shows an overview of how a User accesses the system through the Internet.

FIG 2 shows an overview of peer-to-peer processing.

FIG 3 shows diagram illustrative a representative user computer system that is connected to the network.

FIG 4 shows a diagram representing agents that may be stored on the client computer systems to enable those systems to utilize and contribute to the network in accordance with the invention.

FIG 5 shows the process on the current invention.

FIG 6 shows how the digital acknowledgement trigger is attached to a user.

Figure 6 -- THIS IS A MAJOR, MAJOR difference. In the 1st application, it states the trigger is attached to a "file" not a "USER" so we changed this specifically in the 2nd application to make up a 100% different technology and application. The flaw, from the first application is this-- if the trigger attached itself to a file, it could, as previously mentioned, infringe on Digital Rights Management PATENTS. The initiating trigger in Patent Application #2 (09/683,228) is different and unique for each user.

Each unique user with their own unique trigger reports the user back to our CENTRALIZED servers IN A SECURE P2P ENVIRONMENT, then the trigger recognizes the file type, i.e.: song, video, etc , then one major aspect of our application comes into play--- the advertising component of my patent applications.. Unlike the advertising abstracts mentioned in the patent examiners referenced approved patents, as you will see, I go directly into the specific platforms, the use of centralized servers working in sync within a secure P2P environment (this alone makes our patents unique from the the others cited patents) and then I SPECIFICALLY go into the processes of how the trigger allows each UNIQUE user to select and listen to an ad based on their preference which is programmed into each unique client upon the user receiving a client, which then communicates with the triggers between the centralized servers (content, ad's, users, royalties). ·

Specifically, we mention in our application below how our users can for example, in a secure network environment, P2P or not, with the use of centralized servers:

1) decide between multiple ads or only have one ad delivered to them,
2) have the ad servers show *only ad's the user HAS NEVER VIEWED YET*, in multiple languages,
3) then the trigger reports back to the centralized advertising server to register a royalty, or monies due by the participating advertiser for their ad impression. Payments are made to us, we disburse the royalties to the content owners. Coincidently, the advertisers have 24/7 access to their ad inventories which none of the patent applications mentioned by the patent examiner contain,
4) the trigger then registers the "sale" with the centralized content servers and keeps track of the content circumvention between members and actual use. (content inventories are accessible to content owners 24/7. They can insert, remove, or change royalty rates at will) I, as the facilitator of the technology, do not control the prices and so forth. The other referenced patents do. The uniqueness is very broad. It just needS to be identified.
5) After all of the above occur, only THEN, can a user actually use the content,
6) Then after the user views the advertisement they actually SELECT, the trigger reports to the centralized ad server the ad has been viewed, and then the ad server will send a designated coupon to the user via email, fax or other means. When this event happens could occur before the content is used, or even after.. (see below)

Both the figures and the technologies/invention are entirely different, in short, both patents applications are 100% different. The applications and

the referenced approved patents the patent examiner mentions are 100% different from head to toe.

FIG 7 shows how a file is transferred to a requesting User.

FIG 8 shows the obtaining a file.

FIG 9 shows a diagram on exchanging a file in a P2P setting for an other User's use.

Unlike the 1st application, we added **NEW, UNIQUE** flow charts labeled "Illustration A and B" respectively, depicting the difference and how the trigger actually works in its environment. So, the 1st application stopped at figure 7, we added two more unique descriptions, **VERY EXPLICIT** on how it works in the 2nd application. Again, this alone makes makes my second application unique from the first application and unique from all of the other approved patents mentioned by the patent examiner.

DESCRIPTION OF THE PREFERRED EMBODIMENT

The current invention process, the user digital acknowledgement trigger, when created by software that make digital acknowledgement trigger work and activate, creates and defines that process which is needed to regulate the current infrastructure of P2P or file sharing networks, infrastructures or computer systems and computer networks overall, where individuals that are sharing information and content directly, can now be tracked and used by way of computer programs that work coincide to regulate, track the actual users file use and royalty payment. The user digital acknowledgement trigger allows the user to select their choice of their audio or video advertisement which acts as their payment for "proper use." The file is then downloaded to a pre determined area on the users hard drive for their "proper use". The digital acknowledgement trigger also prevents the file from leaving this secure area on the users hard drive without first acknowledging that the receipt also has a unique digital acknowledgement trigger to receive, track, determine ad and file download for "proper use." This again is based on the users preferences which the digital acknowledgement trigger recognizes from an originating server.

THIS PART OF THE APPLICATION ACTUALLY SHOWS HOW THE TRIGGER WORKS.
Along with the examples previously mentioned,another main example is how the advertisement MUST be heard or listened to before the actual file that the user seeks is allowed to enter into the secure environment in which all users reside, allowing them to reach out and share the bandwidth when downloading files from each user. Not only is this excerpt materially different than my 1st application with Ricci, but it is also 100% materially different than the other "processes" mentioned in the other de centralized networked patents referenced by the patent examiner. These platforms are simply 100% diferent. The processes to boot, are all 100% different. Plus we describe how the processes work in our enviroment, unlike the other approved patents referenced by the patent examiner.

Again, this excerpt, mentioned in my 2nd application is missing ENTIRELY from the 1st application. Again, these processes are 100% different from the getgo-- this second application uses a stand alone trigger for each user which is unique from each user and the, trigger is NOT embedded into the file. This alone, again, differs in everything mentioned in the approved patents mentioned by the patent examiner.

It is a self running application that is also updated by a "individual" user who updates the software, which includes logic that make digital acknowledgement trigger "work and activate", for centralized development, uniformity and would guarantee the integrity of those same files that are stored and shared on the above mentioned servers and networks.

"It" refers to each unique client each user will actually receive that are pre-programmed with unique triggers determined by user prefernces, which when used, combine processes needed for the user to interact with centralized servers all within a secure P2P environment. I corrected the flaw that was represented as it relates to the the above paragraph in the 1st application.

The 1st application, it clearly implies that there is one universal administrator which *is not the case* in the second application. The 2nd application states "it is updated by "a" individual user who updates the software." Each user, again has their own unique trigger. The trigger is not a stand alone mechanism for every user, but it is a mechanism that is assigned and works uniquely with each user. Again, this is another illuminating difference between my 1st Application and the Second Application, not to mention its a huge difference in what the patent examiner mentions from the other approved patents.

The most prevalent use of peer-to-peer networking is the trading of music, video and content that is intellectually protected all across the Internet. Systems such as Napster have been developed specifically to foster that purpose. However, the invention is not limited in its capabilities to publish particular types of content, enabling users to publish and share any form of content across the network. This includes "live" content feeds. As will be described below, publishing and retrieval of content across the network is accomplished anonymously. Further, conventional systems suffer from inherent disadvantages, some of which were described above, which the present invention purports to solve.

The above paragraph differs from the 1st application for I included content types and live feeds. Moreover, the referenced approved patents do not even cover these specifics. They only cover abstracts. The approved applications are illuminating examples of Napster type of systems which are referred to in Fanning's patents. Which coincidently were deemed to be technologically illegal, and also filed after ours were, even though they cover an illegal P2P system. Again, our applications are NOT LIMITED to pure platforms such as P2P. But we are specific in the type of P2P platform we are using and how it is unique from all other P2P systems. We also go into systems that are compatible with the use of centralized servers which is coming up below.

The invention provides a stable, reliable and scalable system for publishing downloading and collecting royalties for their content's "proper use." Subscribers contribute resources to the network community by performing one or more services (for instance, storing blocks of data or hosting a tracking or relay service), in return for some type of payment such as viewing an advertisement, that they can use to browse and download available content within the network, or otherwise transact with the network.

Another flaw from the 1st application as it relates to the above paragraph from the 2nd application is that the 1st application stops at "a system for publishing and downloading content." Whereas the second application actually includes "a system for publishing, and downloading content as well as collecting royalties." The process, again, if it does not include royalties makes this invention and business model illegal.

Royalties must be distributed to finish the trigger cycle as it relates to each unique file being requested, downloaded and used.

Again, our reference to network, is OUR unique environment consisting of centralized servers working in a secure P2P setting, or other compatible internet related platforms. Which is important because we describe the exact types of networks below so nobody could cross patent using another platform. By the way, the referenced approved patents the patent examiner mentions doesn't even cover these specifics as it related to OUR UNIQUE PLATFORM, let alone their de-centralized platform.

FIG. 1 illustrates a functional diagram of a computer network for World Wide Web 500 access to the system 1 from a plurality of Users 10 to the System Web Site 100. Accessing the System Web Site 100 can be accomplished directly through a communication means such as a local Internet Service Provider, often referred to as ISPs, or through an on-line service provider like CompuServe, Prodigy, American Online, etc.

In the continuance part, we added that it also is accessible through it's own unique software mechanism, similar to a browser, but not a browser.

The Users 10 contact the System Web site 100 using an informational processing system capable of running an HTML compliant Web browser such as Microsoft's Internet Explorer, Netscape Navigator, Lynx and Mosaic. A typical system that is used is a personal computer with an operating system such as Windows 95, 98 or ME or Linuxs, running a Web browser. The exact hardware configuration of computer used by the Users 10, the brand of operating system or the brand of Web browser configuration is unimportant to understand this present invention. Those skilled in the art can conclude that any compatible Web browser is within the true spirit of this invention and the scope of the claims.

In a traditional client-server distributed system, application software is usually split between server tasks and client tasks. A client system typically transmits a request to the server and the server responds accordingly. A part of the system that prepares or exchanges information on behalf of a server or a client is known as an agent. In a peer-to-peer system, each agent performs both server and client roles.

On our side, it works with originating centralized servers which act upon unique triggers embedded into either the file (as mentioned in application #1) or embedded into each users client which when active resides in a centralized secure environment. Again, it can be P2P, or another internet related environment. No matter, our applications covers processes that when combined in a secure centralized area, It DOES NOT USE EACH USERS OWN SERVER OR COMPUTER as described in the P2P referenced approved patents the patent examiner uses. Each server in these approved patents is considered to be in a de-centralized environment.

FIG. 2 is a diagram illustrating a peer-to-peer network in accordance with the invention. The system 1 may include a plurality of clients 12 connected in a peer-to-peer fashion across a wide area network (WAN) 14, such as the Internet, or more particularly, the World Wide Web. The User 10 may contain one or more pieces of software code 16 (agents) that may be stored on these machines and may be executed by a respective microprocessor 18 in order to operate as the invention. The Internet 500 permits the machines 12, when accessed by other machines 12 in the network 14, to communicate with each other in order to serve or host various requests or operations and to otherwise interact with each other.

Again, we cite not only P2P, but other platforms. The patent examiner makes reference to us trying to patent other de-centralized P2P models. That is so the opposite. We use not only one centralized server, but four. They all act independently from each other, NOT TOGETHER as previously mentioned a few paragraphs ago, and perform unique tasks for each unique user, all within a secure environment. The approved patents are the opposite. Also unlike the approved patents covering de-centralized versions, our applications are PLATFORM AND PROCESS specific. The others are all abstracts on a de-centralized versions of digital file management.

FIG. 3 is a diagram illustrative a representative client computer system 12 that is connected to the network 14 as shown in FIG. 2. Representative client computer systems 12 may include a display device 20, a chassis 21, and one or more user input devices, such as a mouse 22 and a keyboard 23. The chassis 21 may house a permanent storage system 24, such as a hard disk drive, optical disk drive, tape drive, or the like, which may store one or more software applications such as a web browser application 25, and one or more agents 16. The client computer system 12 may have a memory 26 resident therein and the software application(s) from the disk 24 may be transferred to the memory 26 to be executed by a CPU 18 in the computer system 12. The browser application 25 may be configured to connect the client computer system 12 with other machines 12 in the network 14 and receive graphical information (i.e., web pages) that may be displayed on the display device 20 to a user. The browser application 25 may also permit the client computer systems 12 to interact with the other machines 12 in order to serve or host requests and operations in accordance with the invention.

100% different than the approved patents the patent examiner mentions. 100% different platform. 100% different processes and components. 100% different type of search components. Its all different, and were more specific on what and where. The approved patents are de-centralized, and for example, the search mechanisms are flawed because they work in an unsecured, de-centralized P2P environment allowing for users to access anything on another's hard drive or computer or network. We cite multiple platforms, not just P2P. The centralized servers, the unique client triggers and their actions, the advertising components, the content inventory and user acquisition components are 100% different than the approved patents the patent examiner mentions.

FIG. 4 is a diagram representing software components 16 that may be stored on the client computer systems 12 to enable those systems 12 to utilize and contribute to the network 14 in accordance with the invention. The client computer systems 12 may include a first software module 30 (i.e., a client agent) that is operable to enable these machines 12 to access the network 14 and be capable of consuming system resources provided by other systems 12 connected to the network 14. A user may download and install the client agent 30 from the Internet using techniques that are well known in the art, or may purchase, or otherwise obtain the client agent and directly install the client agent 30 onto the computer system 12.

As shown in Fig. 5, in order for the digital acknowledgement triggers and invention to work, users of a p2p audio and video network, for example, would use the software, which would be used by the "end-user" of network to operate the triggers so it works as such:

I made sure I added "users of a P2P audio and video network would use the software" in the 2nd application as seen in the above paragraph, whereas the 1st application states that in order for the invention to work "a p2p audio or video network, would use the software.." This is a major difference when considering each user trigger is unique, and not one trigger alone

<u>works this entire process.</u> Again, this is also entirely different to the approved patents the patent examiner mentions.

1.   A *user /computer* "user" asks a "computer or network related computer or server" if a audio / video /digital art file exits on that particular computer or network related computer or server 201.

2.   Every computer or network server or device which is "hooked" up or hooked into that same particular computer or network related computer or server mentioned in node 201 above, responds with a YES or a NO 210.

3.   Every computer or network server or device which is "hooked" up or hooked into that same particular computer or network related computer or server mentioned in Node 210 above that answers yes, then hooks up or hooks directly into the user /computer's computer or network related computer or server for download 220.

We are actually describing, in detail, how users, content, advertisements are not circumvented. Only users who are in our secure centralized setting can access the content. Far cry from other approved patents mentioned by the examiner.

Each user has a unique Digital Acknowledgement Trigger 125. This trigger is induced by the end user of that particular computer or network related computer or server mentioned in node 210. Each tag is unique based upon the source IP address of each user and file name requested for download is recognized by the file extension type and with each user's "digital acknowledgement trigger" 125 when activated at the time the Digital File is requested by the user without damaging or manipulating the original file.

VERY important aspect here. In the 1st application, it states that "*each download has a unique trigger.*" Whereas in the second application that flaw is corrected. The second application, as you can see above, states "Each user has a unique trigger." The trigger is not software originated for each user, I left this out of the second application purposely.

When reading the 1st and 2nd application, it makes the 2nd application entirely different, again, because the first application is based <u>*on files*</u> *having a unique trigger.* I also mention that each tag is unique based upon the address of the actual user <u>not the originating "file."</u> I also make sure I explain in this application, specifically this paragraph, how this process differs from a digital rights management tool, which the 1st application mirror's. I can thoroughly explain this paragraph in person or on the phone.

Again, all of this is materially different than the referenced patents that were approved already.

This invention ensures that the owner of a particular Digital Rights Management embedded file is paid royalty for the "proper use" of the product. i.e.: A Digital Rights Management embedded file may expire or destroy itself after 5 uses or just one. This invention allows for owners of Digital Rights Management induced files to be paid royalties for files used over a computer network or a P2P network.

Again, here I decipher the difference between Digital Rights Management in the sense that we do NOT regulate the type of content owners infuse into

our system. This not only seperates another differentiating aspect between my applications, but shows yet another alluring example of how the other de-centralized systems, mentioned in the other approved patents referenced to by the patent examiner, allows for the end user to regulate the content. That simply never happens with our tecnhology and in the way it is designed using multiple centralized servers, in a secure enviroment, whether it be P2P or Internet related.

They may be "as is" files or files that already may have embedded codes attached to a particular file they infuse into the system, that is well known as Digital Rights Management. Again, we do regulate the DRM aspects, only the distribution, use and payment for digital content using centralized servers in a secure P2P environment.

Fig. 6 shows the digital acknowledgement trigger 125 being activated just before the file is allowed to reach the end users hard drive. The digital acknowledgement trigger 125 "activity reporting and process" is unique for each user and for each file played. Some files may have a higher royalty rate than others as pre determined by the owner of a particular file.

THIS paragraph is another major difference. In the 1st application, it states "*the trigger being attached to the actual downloaded file*" which is not the case, and makes the 1st application flawed in the sense that the trigger is activated just BEFORE the actual selected file is allowed to reach the end users hard drive. The first application also clearly states that the trigger is UNIQUE FOR EACH FILE, *which again it is not.* The trigger is unique for each user and EACH file requested, as mentioned above in the 2nd application.

Even though the patent examiner mentions approved patents, they patents do not even cover the specifics. We do in our applications from the Platforms, the make up of the platforms, the processes of the trigger, the parity between the user, content, advertisers, and royalty distribution.

Fig. 7 shows the process in which the requested file is transferred. The user 10 makes the request to the system 1. The system 1 then makes a request to the other clients 12. If one of the other clients 12 have the requested file, the file 120 is uploaded to the system 1. The user's digital acknowledgement trigger 125 acknowledges the "request" the user has made to upload or download the file 120. The file 120 is then downloaded from the system 1 to the User 10 and the digital acknowledgement acknowledges the users preferences for commercials, and allows the user to select their commercial request and when then the trigger acknowledges the user has played the advertisement the trigger registers a royalty back to a computing system and then the trigger allows the file to be download or upload to or from the users system to a secure area on their server.

The 1st application states that "the system attaches the trigger to the uploaded file and then it is downloaded." The 2nd applications clearly states above that the user makes a request for a file from the system that the actual users trigger "begins to implement unique processes which it is responsible for" where the file is tracked, the advertisements are played "BASED on the users preferences which programs their actual unique trigger." Next royalties are paid and registered and then and only then will the trigger allow the file to go on to the actual users hard drive. In short, as mentioned earlier, the "Figures" or Flow charts are considerably different and help

explain TWO ENTIRELY DIFFERENT inventions when comparing the 1st and 2nd application.

Again, even though the patent examiner mentions approved patents that cover an entirely different platform, they fail to even cover the specifics in their de-centralized environments. We do in our applications from the Platforms, the make up of the platforms, the processes of the trigger, the parity between the user, content, advertisers, and royalty distribution.

Operation

Businesses and corporations will use license software which includes the logic that includes the digital acknowledgement trigger 125, this produces the protected process which ensures that one's P2P or "file sharing" business can enter "commercial" status legally while keeping all parties that have a "vested" interest in a particular file "happy." Businesses and corporations will use software to embed their users with a unique digital acknowledgement trigger 125 in order to track all respective "to be downloaded or shared" files that are shared within one's respective business or consumer communities that are "open" for access and download.

The above paragraph again provides us with a clear difference from the 1st application. I mention in the second application, as seen above, that businesses and corporations will use the trigger software to embed "users" and the 1st application clearly states embedding the actual files. Again, this is our version of a partner program, giving credit to others for downloads, or user registrations. Our applications are again, 100% different than the approved patents referenced by the patent examiner. Our platform and its components are unique, and used in a centralized environment. This could work in a de-centralized environment, BUT IT WOULD BE DEEMED ILLEGAL and it would against copyright laws. This is why we designed our applications the way we did, unlike the approved patents mentioned by the patent examiner.

When the user /computer 10 download is complete, and the file now also originates from the computer or network related computer or servers to which the download was delivered, that user opens or uses the file for the software trigger, or digital acknowledgement trigger 125 activated the process for which the invention is invented.

Here is a huge example. Looking at the 1st application, it implies that the trigger is activated when and only when the user actually opens the file they request. In our case, the trigger activates when the file is REQUESTED. Again, overall, 100% different than the cited approved patents.

When the user /computer 10 requests the "file" 120, the trigger process 1 then does:

The 1st application states "when the user opens the file.." The second application as shown above clearly states when the user "requests a file." This a major, major difference at which the trigger is actually enabled.

   a- Provides the originating file owner, or named entity to be determined, the following information: id's the user /computer 10 where the file is opened, the date, and how often the file is transferred , exchanged, emailed, has others download the file from that users secure part of their hard drive for it trigger. Then the process sends and or routes information and or payments

directly to the parties involved in a P2P or file sharing networking environment. These parties are typically, the intellectual property owner, the licensee how licenses the intellectual properties, and The networks, internet service providers or presence providers that host or provide for the actual originating file download that is shared by end users of that particular file.

This paragraph above explains what the trigger actually reports the royalties TO and who pays the royalties, which is ENTIRELY different than the first application. Also entirely different, and more specific than the approved patents mentioned by the patent examiner.

1.   Thus, software induced process is capable of sending the software trigger to an originating platform, or "digital acknowledgement trigger 125" before the files are requested for download and allows the user to select an audio or video commercial for the user's royalty accountability based on the user /computer's preferences.

The first application clearly states that the software induced process "is capable of _sending the trigger_ "TO FILES", whereas in the second application, it states sending the users trigger information to the system before the files can be requested. In short, this means the trigger is activated when a user turns on their computer and enters our system for file trading and further states that *only when a user selects an actual advertisement* will the royalty be paid and file is allowed to enter the hard drive. Again, entirely different than the 1st application. Also entirely different, and more specific than the approved patents mentioned by the patent examiner.

        b- After preferences are acknowledged, the software trigger, or "digital acknowledgement trigger 125" allows for a process that in which commercial advertisement can also be assigned before "delivery or download" based on the users "preferences" that will open before the file is downloaded by the user /computer 10 and serves it's purpose. In this case, the end user of the computer or network related computer would have to installed or download a the software trigger, or "digital acknowledgement trigger 125" equipped file, in order to pay for "proper use" using the process for which the invention is made for then and only then after the user is accounted for a royalty the user then would listen or read or view an audio or video compressed commercial before the actual file is downloaded and "breeched", and the software trigger, or "digital acknowledgement trigger 125" activates and reports. This process essentially works for all downloaded and shared Internet based, network based, and computer based multi-media materials or other "content." The software trigger or "digital acknowledgement trigger 125" then reports the information back to the originating licensee or owner of the file that is used for royalty payment.

In the paragraph from second application above, we state that the actual commercial must be played prior to use of the file and this commercial acts as the royalty payment. *The 1st application did not include this.* Again, the process must pay royalty for the technology/business model to work. The ad will have had to be viewed before the file actual used by the user with the unique trigger. In the original application this is not there. Also entirely different, and more specific than the approved patents mentioned by the patent examiner.

        c- This allows for property owners and parties with "interest" a particular file, as viewed above, to approach advertisers or partners for commercialism of the P2P networking or file sharing "process". The software trigger, or "digital acknowledgement triggers smart technology" allows the commercial to be played only once , or many times, or changed completely (or on schedule - monthly, weekly) and allows for The software trigger, or "digital acknowledgement trigger 120" to re-activate itself when another user **downloads and/or requests another file.**

This process can also include the capability to allow the users 10 to choose which advertisements or types of advertisement that they wish to view based on their preferences which the digital acknowledgement trigger 125 recognizes.

Bolded above is where a major difference lies. I mention *requests* a file, the 1st application states "*uses*" another file. This is not right for the technology only works *when a file is requested,* not when a file is being actually "used". Also entirely different, and more specific than the approved patents mentioned by the patent examiner.

d- invention allows for "file owners" or entities that share files to program each unique digital acknowledgement trigger 125 to acknowledge or allow:

The above sentence drastically differs from the 1st application. In the 2nd applications paragraph above, I state that "or entities that share files to program EACH unique trigger", whereas in the 1st application is clearly states "to program the FILES to...." Again, WE CANT PROGRAM FILES, our content owners who participate and control their own content inventories set the rates, or desired payments rates. Or the pricing will be based on exclusive licensing rates as determined by the actual content owner, which is not patentable. Also entirely different, and more specific than the approved patents mentioned by the patent examiner. They, the technology originators, set ad rates and deliver them to the end use in an entirely different fashion than our applications.

1- play or send out message to end-user
2- integrate or remove commercials or images/data or other means of advertising based on current events or certain campaign times of the year. i.e.: Christmas

Line #2 in the 1st application states "pushing a message", whereas here I specify that the participating advertiser can regulate the commercials themselves. Also entirely different, and more specific than the approved patents mentioned by the patent examiner.

3- reset its commercial programming after a specified period of time
4- change product advertisement/properties in and/or without the need for additional programming for the file regulator will be able to install and remove advertisement using computer generated software that automates this process.

Again as stated above, I specify in #4 that the advertiser is in control of ad selection. I could add in the from where, when and how. This differs from the 1st application. Also entirely different, and more specific than the approved patents mentioned by the patent examiner. Our trigger mechanisms are almost impossible to replicate in a de-centralized system or network. Ad components in other approved patents are simply not described like ours plus they are abstract in a de-centralized environment. Those approved patents mentioned by the patent examiner are very specific as to the type of P2P. My applications are unique and will WORK in either a P2P setting or internet based system. In either scenario, it will be secure, and will utilize centralized servers all working together. Our inventions could work with one centralized server.

5- "file owners" or entities that share files to program the files to report royalties for advertising fees, report number of downloads vs. actual opening of files, reports overall usage of

a file's life span, as viewed above. When the user of the computer or network related computer or servers is complete, if they decide to send that file to another entity or computer network, person or entity or computer or network server, The software trigger, or "digital acknowledgement trigger 125" will, again, re-activate itself again when the file is requested and operates steps #1 through #2, as seen above, and consequently this step, #3.

In this application I state in #5 that the trigger will re-activate itself when a file is requested and operates steps #1 and #2 above. In the *1st application* it states "The trigger will again, re-activate and attaches itself to a file that operates #1 and #2 above." As mentioned previously, the trigger DOES NOT attach itself to a file. This is the only way this can be done. This is why I always stated that the 2nd application resembles the business plan and there are only so many ways this can be done.

Also entirely different, and more specific than the approved patents mentioned by the patent examiner. Our trigger mechanisms are almost impossible to replicate in a de-centralized system or network.

In summary, the software trigger, or "digital acknowledgement trigger 125" process invention allows for computers, and programs to work together to provide steps needed for this "process" of tracking and regulating "process" of file sharing over computer electronic devices, server, wireless or private networks. Therefore this invention, the software trigger, or "digital acknowledgement trigger" provides the following solutions:

1.   Costly and timely legal disputes that are taking place in a "un-regulated" "process" where computer files are shared between networks, other computers devices and people. Infringements will now be limited in P2P and "file sharing" environments, due to the tracking and royalty payment process induced by the invention and protecting of Intellectual properties or owned files.. The protected process helps protect companies that own and deliver P2P type of networks to the commercial and consumer markets worldwide.

The 1st application does not state why this would make it a legal business model using the technology. The technology is only legal and solves the current problems in P2P businesses, for the trigger regulates a process that not only tracks users, files and advertisement but PAYS ROYALTIES. The 1st application, as it relates to the above paragraph did not include this.

Also entirely different, and more specific than the approved patents mentioned by the patent examiner. Our trigger mechanisms are almost impossible to replicate in a de-centralized system or network. We give control to the content owners, and the advertisers, unlike every single approved application referenced by the patent examiner.

2.   Allows for all parties that have an owned or licensed interest in the particular "file shared" to track all end user destinations for determination of royalty payments, business development or however the entity that owns "the shared file" deems fit.

None of the approved patents mentioned by the patent examiner use our specific centralized delivery network or platform nor do they include the specifics we include. All end user destinations described in the approved patents relate specifically to decentralized P2P networks and more importantly, components that interact with each other unlike our Trigger mechanisms in OUR centralized, secure platform. They describe the processes needed to search, find, download and "pay" royalties in a de-

centralized, and more importantly through a delivery platform deemed to be illegal by the Supreme Court. All of the claims in the approved patents mentioned by the patent examiner are abstract in nature at best and describe an imaginable delivery network comprised of different abstract components within a de-centralized environment delivery network which is entirely different than from what I have in both my patent applications.

"PARTIES" that have an interest in the "shared file" include, but not limited to:
    a- The originating server where "the file shared". In this case, the owner of the server, computer or network....
    b- The person, network, computer , electronic device, or server requesting the "shared file"....
    c- The person, network, computer , electronic device, or server opening the "shared file"....
    d- The person, network, computer , electronic device or server that shares the opened "shared file"....

3.   Allows for the continuation of "free downloads" by consumers.

4.   Control's the overall distribution of files between computers, servers, network servers and unknown entities.

5.   Provides for legal and market commercialization structure and demeanor or methodology for P2P and "file sharing" networks.

All very specific around our unique platform, that would work in a secure P2P setting, making P2P legal, as well as within other networks. This is a new P2P delivery system, and a new internet based delivery system.

FIG 8 shows the process that a User 10 obtains a file for use their the User Digital Acknowledgement Trigger process. User A 200 starts by entering a Centralized database of the system 1 in step 205. The system 1 activates a digital acknowledgement trigger 125 for User A 200 in step 210. In step 215, User A 200 enters into a network the contains the desired content. The User A 200 selects the content 220. User A's digital acknowledgement trigger 125 is activated in step 225. The digital acknowledgement trigger 125 reports to the required royalty server for potential advertisement or royalties associated with the content 230. User A 200 makes a select of the desired advertisement if there is a choice 235. The system 1 is notified of the advertisement that User A 200 has chosen to hear and/or view 240. After the advertisement is listened to or viewed the system 1 may add either a digital coupon or a hot button to the advertiser's website 245. In step 250, the content is allowed to be downloaded by User A 200. In step 255, User A 200 could use the content. If User A wants to download or view another file or content User A 200 repeats the process 260.

The above paragraph IS NOT even in the 1st application. This paragraph clearly states how the trigger works when a user enters the P2P system. (in short, when infused into a P2P system, our P2P becomes centralized and legal. all processes are unique to us only. It also mentions how the user enters the centralized database with their unique client that was pre-programmed for the users specific prefernces. This client is then empowered with *with unique triggers unlike any other approved patent or existing technology.* IT CLEARLY STATES THE PROCESS OF THE TRIGGER and what they do unlike the patents approved that were made for de-centralized, basic, P2P platforms which again are illegal and never produce revenue to pay royalties. It also goes into great detail how the ad is played, and then in the

background a coupon is also STORED based on the actual commercial the user views or listens to. This is very, very important and it is not even mention in the 1st application nor any other application the patent examiner mentions.

FIG 9 shows how the exchanging of files between users 10 works in a User Digital Acknowledgement Process. In step 215, User A 200 enters into a network to look for the desired content. In step 310, User B 300 enters into a network to look for the desired content. User B 300 selects the content from User A's 200 hard drive 24. In step 320, User A's 200 unique digital acknowledgement trigger 125 searches User B's 300 hard drive 24 for User B's 300 unique digital acknowledgement trigger 125. In step 325, if a digital acknowledgement trigger 125 is found on User B's 300 hard drive 24 the procedure for obtaining file given in FIG 7 is followed by User B 300. In step 330, if a digital acknowledgement trigger 125 is not found on User B's 300, the system 1 will send User B 300 to a website 100 in which User B can receive their own digital acknowledgement trigger 125.

AGAIN, this paragraph as it explains the processes, and FIGURE were not present in the 1st application. It shows how users are able to "share" the files. It also shows how users are UNABLE to send files or share files without a unique trigger educed client that is made specifically for our delivery network which is centralized and secure. This is also a very, very important addition to the invention that would be impossible to use within my 1st application. My second application, for sure, is entirely different than the first application and entirely different than the approved patents mentioned by the patent examiner. Everything from the client origination, to delivery, to the actual set up of the centralized servers, advertising, royalty distribution is different than those illegal decentralized approved patents mentioned by the patent examiner.

Alternative Embodiments

With the emerging markets of wireless, itv, etc... There also new emerging network platforms that also can be developed around a P2P or file sharing network oriented community. The file sharing networks mentioned or P2P file sharing network infrastructure platforms are currently being designed for the wireless internet, interactive television, satellite dish communications, television, personal recording devices, and more that are yet to emerge.

In the 1st application, we failed to include "*satellite dish communications, television, personal recording devices, and more that are yet to emerge.*" This is important for I explain other platforms emerging, making the second application even "broader." This is the preamble for the 32+ additional patents we desire to file.

The current invention and process works seamlessly, with any file opener, browser, media player that is in existence within these emerging industries. The digital acknowledgement trigger 125 works with, and is not limited to any of the below file sharing industries:

1- Audio Multi-Media File Sharing, (includes mp3, wav, digital art)
2- Video Multi-Media File Sharing
3- Digital Audio File Sharing
4- Digital Video File Sharing
5- Wireless file streaming, sharing, transferring etc.
6- Digital Art, Protected Arts, works.

An entity that regulates, originates or owns a P2P or file sharing network infrastructure allows public access to files on their respective servers and or web portals, via the Internet. The public/consumer then:

- Be provided free access to the digital audio / video /digital art files via "free" and or "paid" membership or subscription.

- Once registered or not requiring registration, the end user and or consumer downloads and or plays files which originate from that respective entities business model.

- The respective entities then can then monitor downloads, statistics, trends, demographics etc.

The user initiates the software trigger, or "digital acknowledgement trigger 125" which is embedded within a user's hard drive. Each corporation or company will have its own unique "brand" of the software trigger, or "digital acknowledgement trigger 125" embedded in their user's 10 hard drive 24. When the public user downloads the file or data, the data is sent to all parties with "interest" for processing.

Very important change above from the 1st application. The first line of the above paragraph states "the user initiates the software trigger which is embedded in the users hard drive", whereas the 1st application it states "The files initiate the trigger, which is embedded within the FILE TYPE", again Digital Rights Management infringement on part of the 1st application. As you can tell by reading up to now, the 1st application is materially different than the second, thus the reasoning why I have always promoted the second application in all You Shared business literature.

Each users 10 "digital acknowledgement trigger 125", is sent to the servers which originate the "file download or transfer", an advertising company is matched to the users pre selected preferences before a unique digital acknowledgement trigger is assigned to the user. The invention induced software trigger, or "digital acknowledgement tag 125 will then determine which advertisers, if any, have partnered with specific digital audio, video or data file being sent to user. The invention induced the software trigger, or "digital acknowledgement trigger 125" will send the commercials out based on the preferences and information the user 10 selected before they were provided their "unique" digital acknowledgement trigger 125 received.

In the 1st application, the first line states "While the file, which is invention INDUCED WITH the trigger", which is not what it actually does, and again an infringement on Digital Rights Management. The file is NEVER induced or embedded as implied by the 1st application. In the second application, it clearly states "EACH USERS digital acknowledgement trigger is sent to the servers**." That line alone also materially removes our applications into a different, unique setting when compared to the approved patents the patent examiner mentions. Both my applications are 100% different than the platforms and processes when compared to the those same approved patents.

Again, the second application is clearly unique. (** the ad server and user server) --- Also, the 1st application states "The invention induced the software trigger will send the commercials out based on the TAG received to the end user simultaneously with the MP3 download." Whereas the second application clearly states "The invention induced THE trigger will send out commercials BASED ON THE PREFERENCES and information the user selected BEFORE they were provided their UNIQUE TRIGGER."

Major difference in the two applications filed by OKane. Also materially different than the other applications the patent examiner points out to us. We even go much further in detail as to how our processes actually work in our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents.

For example:

- Specific advertisers are partnered with specific corporations MP3's

- Example Sony Music owns Madonna and the partnership agreement is with Pepsi Cola

- The end user will receive the Madonna MP3 and only the Pepsi commercial.

The end users' MP3 or video player or file reader will assemble the "digital audio or video" file and the Commercial together. Once the commercial is played, the software trigger, or "digital acknowledgement trigger" can be reset or removed by the user. The user when the royalty is paid from the invention process then is allowed "proper use." The end user will only hear the commercial once per download of that specific song or video is played.

Here another major difference. I mention in the 2nd applications above paragraph " the user when the royalty is PAID from the invention process then is allowed fair use." (Fair Use is an actual law, which is why we made the technology described in the applications to conform to these Federal Laws as well unlike the other approved patents the patent examiner mentions) In short, this invention is worthless if it does not pay royalties. In the 1st application, it stops after the commercial is played and mentions nothing on the royalty aspect of the invention. If I had not put this in, the process would not be complete. (user request file, trigger serves up commercial, and royalty is paid.).

Again, these applications are unique from each other and to the approved patents the patent examiner mentions. We even go much further in detail as to how our processes actually work in our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents.

If the song or content is shared or transferred to another computer the software trigger, or "digital acknowledgement trigger 125" will be re-initiated, and the process will repeat.

I kept this broad by adding the word "content." Besides being different from my 1st Application, this clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications.

The advertiser and file owner can decide if the commercials are:

1. always played, "infinite loop", or without any option to remove the commercial

2. the software trigger, or "digital acknowledgement trigger 125" is rendered "inactive" after the file is reaches the users specified secure area of their hard drive 24. The trigger 125 will be re-activated when shared or sent to another end user. The trigger will then determine by searching the recipients hard drive for another digital acknowledgement trigger to activate the recipients trigger to begin the process again.

Please pay close attention here. In the paragraph taken from the 2nd application above I state "Digital acknowledgement trigger" is rendered "inactive" *after the file is reaches the users specified secure area of their hard drive.* The trigger will be re-activated when a file is requested/shared or sent to another end user. The trigger *will then determine* by searching the recipients hard drive WITHIN THE CENTRALIZED SECURE P2P OR OTHER SIMILAR INTERNET NETWORK PLATFORM for another digital acknowledgement trigger to *activate the recipients trigger* to begin the process again." In short, user authenticity within our unique environment. After this authenticity is established, content, advertisements and royalties paid are all authentic and original, unl,ike all of the other approved applications the patent examiner mentions. Those patents deal with de-centralized servers, which are end users, in which those systems scan hard drives for files that are not authentic. This was yet another reason why the music industry loved us when we were compared to the typical P2P platforms mentioned by the patent examiner in the approved patents. They (participating content owners) control their content, not the end users.

In the first application it states "the software trigger is REMOVED or rendered INACTIVE...." The point here is that the trigger is *always active,* and I state that after the FILE reaches the secured area and the trigger reactivates TO BEGIN THE PROCESS AGAIN. (i.e.: user selects file, ad served up, and royalty paid, user is able to download file)

Also, besides being different from my 1st Application, this clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications.

One additional point to make, another stand out reason why my applications differ to those mentioned by the patent examiner is that one component, our advertising component and processes are totally different. The platforms, delivery and the GUARANTEE THAT END USERS WILL SEE THE ADVERTISEMENT. The other applications do not even come close to showing this as well as the other unique processes involved in our advertisement delivery portion of the technology. Again, this delivery works side by side to our content, user, royalty accounting and royalty distribution centralized servers. In order for these technologies mentioned in my applications to work, all these components have to work together. The trigger dictates all of the actions between the end user and the centralized servers. 10000% different than any of the approved patents mentioned by the patent examiner.

3. allows for the trigger 125 to automatically acknowledge when an advertiser or a file content owner changes or expires after a certain timeframe as from the ad sever. This will be an

automatic or predetermined "reset" after a predetermined time (monthly, weekly etc) which allows for the users software trigger, or "digital acknowledgement trigger 125" to be changed to another product or advertiser.

In the fist application it states that "allows for the automatic or predetermined "reset" after a PREDETERMINED time which allows for the software trigger TAG (again implies files are tagged or embedded with the trigger which again it is not) to be changed to another product or advertiser updates to a new commercial from the same advertiser..." The second application's above paragraph is entirely different. Like I showed everyone in the You Shared demo, advertisers have 24/7 control, to update their commercials and read the activity. The second application states "the trigger *AUTOMATICALLY acknowledges* when an advertiser *changes commercials within the ad server*, which is where the trigger reports to *after a user requests a file*. Advertisers can insert, delete and account for their inventories 24 hours a day, seven days a week.

Besides being different from my 1st Application, this clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications.

4.   updated to a new commercial from same advertiser

Initially, the end user has options to play/use the MP3/data in an enabled web browser or content player/viewer, advertisers set rates, for example, are based on:

In the first application it states the user has the option to play with a regular JAVA enabled web browser. The invention of the 2nd application as shown in the above paragraph, eliminates this for the user does not need JAVA. The 1st application also left out "content/player viewer" as shown above in the second application. In the 1st application, it states the "TAG sets the rates for advertisers." Whereas I state *"advertisers set rates..."* above... This is in here for we all know You Shared will set the rates, but if our model evolves into one where advertisers can "bid" for slots, they indeed will be "setting the rates." Technologically speaking, and from a business process point of view this could be very detrimental to any of our future business models.

Besides being different from my 1st Application, this clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications.

- A blanket license

- per downloaded file

- per artist to partner with

The invention produced digital acknowledgement trigger analyses the data to determines the royalties owed and forwards payment to the respective owners, or organizations responsible. (ASCAP, SOCAN, RIAA etc.) The solution in summary:

This clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications. These processes are what the above organizations would consider legal and law conforming. It provides content owners from all over the world 100% control over their content, something those other approved patents simply do not provide. As a consequence, those technologies mentioned in the approved patents referenced to by the patent examiner are ILLEGAL. Users using such devices have been sued, and because of a recent Supreme Court ruling, the facilitators of such P2P platforms could be held both criminally and civilly liable for copyright infringement and theft of content My applications are 100% different.

These below statements explain exactly what we are doing by deploying a technology as explained in our applications...

· Solves Internet Music Industry Copyright Infringements	· Prevent under aged persons from accessing protected media (adult lyrical content in songs and video) **This was left out in the first application. This again is big for capital hill is pushing for child protection. Somebody down the road could actually make an invention similar to ours that is all for children. We have it in the 2nd application.**	· Timed released to other geographies (to curb unauthorized foreign release) until the "proper launch date" in a specific geography. Allowing for multi lingual platforms to be made to facilitate this invention the various languages around the world **This was added to allow for us to broaden out even more, making it capable of supporting multiple languages.**
· Controlled distribution of MP3's	· User Statistics	· Royalty Tracking and Payment **Again our process is independent of any Digital Rights Management platform, or embedded file. As well as being 100% materially different than the approved patents mentioned by the patent examiner.**
· Free LEGAL MP3's to the public	· Promote the file sharing and P2P because it is legal.	

Conclusion

The previously described version of the present invention has many advantages. The current invention is a method for peer-to-peer file transfers that is secure, quick, profitable, and legal The intent is to develop a better method for searching the Internet for specific information from a number of web sites that is accurate, quick, inexpensive, and easy to use, showing there is still room for improvement within the art of paying royalties to content owners for "proper use."

The digital acknowledgement trigger solves the following problems that currently exist with P2P and file sharing networks:

•　　　Entities are Unable to track and pay royalties for "proper use" of content/file downloads
•　　　Entities are Unable to protect intellectual downloads and usage.
•　　　Entities are Unable to determine the amount of downloads and or time the file has been "shared" and paid for
•　　　Entities are Unable to commercialize, profit from computer networks, like P2P, which encourage and allow for file sharing that does not produce royalties for user "proper use."

Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions are possible. For example, it could be used with non-peer-to-peer processing different file structures, different formatting or platforms. Therefore, the point and scope of the appended claims should not be limited to the description of the preferred versions contained herein.

The 2nd applications conclusion has the royalty method _thoroughly explained_, whereas the 1st application _does not_. The above paragraph "Although the present invention has been described....", well, THIS OPENS THE DOOR for us to develop new patents with new claims that will only work with my applications.

Besides also being different from my 1st Application, this clearly another example of how I described with detail without any abstracts, how our processes work within our UNIQUE SECURE CENTRALIZED P2P or similar Internet network delivery, where content, user, advertisements, royalty accounting and royalty distribution take center stage unlike those approved basic, de-centralized networks covered in the approved patents. We go into detail the components that make up our unique platform environment and our unique processes as it relates directly to the same environments I describe in both my applications.